

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ARTURO W. TORRES,

Defendant.

)
)
)
)
)
)
)
)
)

8:13CR26

ORDER

This matter is before the court on the motion to continue by defendant Arturo W. Torres (Torres) (Filing No. 37). Torres seeks a continuance of the trial of this matter which is scheduled for September 30, 2013. Torres also seeks authorization to travel to Mexico to assist in visa applications by his brothers-in law. Torres' counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Torres' motion to continue trial (Filing No. 37) is granted.
2. Trial of this matter is re-scheduled for **November 4, 2013**, before Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **September 4, 2013, and November 4, 2013**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).
3. Torres is authorized to travel to Mexico for the purposes as set forth in his motion during the time period as set forth in his motion.

DATED this 4th day of September, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge